

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN MARTIN; DAVID NORRIS; FRANK  
STONE, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

MERRILL LYNCH, PIERCE, FENNER &  
SMITH, INCORPORATED; MERRILL  
LYNCH & CO., INC.; BRIAN RILEY  
and DOES 1-20,

Defendants.

No. C 10-04020 CW  
No. C 11-01654 CW

ORDER GRANTING  
ADMINISTRATIVE  
MOTIONS TO SEAL  
(Docket No. 75,  
C 10-04020; Docket  
No. 30, C 11-  
01654)

JOHN KERR, individually and on  
behalf of all others similarly  
situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC.;  
MERRILL LYNCH, PIERCE, FENNER &  
SMITH, INCORPORATED, and DOES 1-  
25, inclusive,

Defendants.

Plaintiffs initially moved, pursuant to this Court's Civil  
Local Rules 79-5(b) and 7-11, to file under seal the entirety of  
Stephen Heath's Declaration. At the November 17, 2011 hearing on

1 Plaintiffs' motions for final approval of the settlement and  
2 attorneys' fees, the Court informed Plaintiffs that their request  
3 to seal was overbroad and unsupported. Much of the Heath  
4 declaration contained non-sealable information appropriate for the  
5 public record. Pursuant to the Court's instruction, on November  
6 21, 2011, Diane Waller submitted a declaration, establishing that  
7 a portion of the Heath declaration contains confidential  
8 commercial information, and a redacted version of the declaration.  
9 Having reviewed the submissions, the Court grants the motion to  
10 seal the redacted portion of the Heath declaration under Civil  
11 Local Rule 79-5(c).

12 IT IS SO ORDERED.

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14 Dated: 11/22/2011

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CLAUDIA WILKEN  
United States District Judge

United States District Court  
For the Northern District of California